Government of Saskatchewan

Annual Report 2002-2003

Saskatchewan Labour Relations Board

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Saskatchewan

Annual Report
2002-2003

Saskatchewan
Labour Relations Board

for the fiscal year ending March 31, 2003

Published by Authority of
The Honourable Deb Higgins
Minister of Labour

Letters of Transmittal

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The Honourable Dr. Lynda M. Haverstock
Lieutenant Governor
Province of Saskatchewan

May it Please Your Honour:

I respectfully submit the Annual Report of the Saskatchewan Labour Relations Board for the fiscal year ending March 31, 2003.

Deb Higgins

Deb Higgins
Minister of Labour

The Honourable Deb Higgins
Minister of Labour

Dear Madam:

It is my pleasure to provide you with the Annual Report of the Saskatchewan Labour Relations Board. It covers the period commencing April 1, 2002 and ending March 31, 2003.

Gwen Gray, Q.C.
Chairperson
Labour Relations Board

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I. Labour Relations Board

The Labour Relations Board came into existence in 1944 (2nd Sess.) c. 69. Although the *Act* has often been amended, most recently in 2000, the basic concept of the Board has not changed. The Board is an independent, quasi-judicial tribunal charged with the responsibility of adjudicating disputes that arise under *The Trade Union Act*. It does this principally through public hearings and written decisions.

The Board's decisions are final and binding upon the parties. There is no appeal, and review by the courts is strictly limited.

The *Act* presently provides for a board composed of a chairperson and two vice-chairpersons and an unspecified number of members. All members of the Board, including the chairperson and vice-chairpersons, are appointed by the Lieutenant Governor in Council. The chairperson and vice-chairpersons are full-time members of the Board. The remaining members are appointed and paid on a per diem basis when their services are required.

The Board is a representational Board. This means that all members of the Board, with the exception of the chairperson and vice-chairpersons, are representatives of employees or employers. The chairperson and vice-chairpersons are neutral and are lawyers. The Board reports to the Minister of Labour for the Province of Saskatchewan. The Minister is obligated by *The Trade Union Act* to provide the Board with the requisite staff and facilities. The Board operates independently from the government, its departments and agencies.

The Board's offices and staff are located at 1600 - 1920 Broad Street, Regina. The Board also maintains a hearing room in Saskatoon. The staff of the Board is composed of the Board Registrar/ Legal Counsel, Investigating Officer, Executive Assistant to the Chairperson and three clerical positions. One of the vice-chairpersons is appointed to act as Executive Officer of the Board. An Organizational Chart of the Labour Relations Board is contained in Table 1.

The composition of the Board for 2002-2003 was:

Gwen Gray, Q.C. - Chairperson

Gwen Gray, Q.C. was appointed Vice-Chairperson of the Board in August of 1995, and was appointed Chairperson in July, 1997. Ms. Gray obtained her undergraduate degrees in sociology and law from the University of Saskatchewan and her graduate degree in law from Cornell University, Ithaca, New York. Ms. Gray practised labour law in Regina from 1978 to 1988 and in Edmonton from 1992 to 1994. She returned to Regina in 1994 to work as a Legal Analyst in the Department of Labour.

James Seibel - Vice-Chairperson

James Seibel was appointed Vice-Chairperson and Executive Officer of the Board in November, 1997. Mr. Seibel obtained his Bachelor of Science degree from the University of Regina and his law degree from the University of Saskatchewan. He was in the private practice of law in Saskatoon from 1981 to 1997, with an emphasis on labour law and arbitration. Mr. Seibel resides in Saskatoon.

Wally Matkowski - Vice-Chairperson

Wally Matkowski was appointed Vice-Chairperson of the Board in March, 2001. Mr. Matkowski obtained his Bachelor of Arts degree and his law degree from the University of Saskatchewan. He was in the private practice of law in both Regina and Saskatoon from 1986 to 2001, with a large amount of his time spent as both a labour arbitrator and a mediator. Mr. Matkowski resides in Saskatoon.

Bruce McDonald

Bruce McDonald was appointed to the Board in 1974 as a member representing employees. Mr. McDonald is a retired business agent for the International Brotherhood of Painters and Allied Trades, Local Union 1996. He is a past president of the Canadian Federation of Labour (Sask.). Mr. McDonald resides in Saskatoon.

Ken Hutchinson

Ken Hutchinson was appointed to the Board in March of 1992 as a member representing employers. He previously served on the Board from 1977 to 1986 in the same capacity. Mr. Hutchinson is self-employed as a labour management consultant. Mr. Hutchinson was formerly the Administrator of Personnel Services at the Regina General Hospital and the Director of Industrial Relations for the Saskatchewan Hospital Association. Mr. Hutchinson resides in Fort Qu'Appelle. Mr. Hutchinson retired as a member of the Board on July 28, 2002.

Gloria Cymbalisty

Gloria Cymbalisty was appointed to the Board in March of 1992 as a member representing employees. She is self-employed as an industrial relations consultant. She was formerly a representative for the Saskatchewan Joint Board, Retail, Wholesale and Department Store Union. Ms. Cymbalisty resides in Regina.

Tom Davies

Tom Davies was appointed to the Board in March of 1994 as a member representing employers. Mr. Davies was formerly the Human Resources Manager for IMC Potash in Esterhazy and is active with the Saskatchewan Chamber of Commerce Labour Committee. Mr. Davies is semi-retired and is self-employed as a labour-management consultant. He resides near Esterhazy. Mr. Davies retired as a member of the Board on July 28, 2002.

Gerry Caudle

Gerry Caudle was appointed to the Board in March of 1994 as a member representing employees. Mr. Caudle had previously served in the same capacity during the 1980s. He is a retired representative with the Canadian Union of Public Employees. Mr. Caudle resides in Saskatoon.

Donald Bell

Don Bell was appointed to the Board in July of 1995 as a member representing employers. Mr. Bell is President of Insulation Applicators Ltd. Mr. Bell resides in Regina.

Brenda Cuthbert

Brenda Cuthbert was appointed to the Board in July of 1995 as a member representing employers. Ms. Cuthbert is the Director of Human Resources for Kindersley Transport Ltd. Ms. Cuthbert resides in Saskatoon.

Donna Ottenson

Donna Ottenson was appointed to the Board in July of 1995 as a member representing employees. Ms. Ottenson is a Registered Nurse in long-term care in Regina and an active member of the Saskatchewan Union of Nurses. Ms. Ottenson resides in Regina.

Bob Todd

Bob Todd was appointed to the Board in July of 1995 as a member representing employees. Mr. Todd is Business Agent for the United Brotherhood of Carpenters & Joiners. Mr. Todd resides in Saskatoon. Mr. Todd retired as a member of the Board on August 29, 2002.

Hugh Wagner

Hugh Wagner was appointed to the Board in July of 1995 as a member representing employees. Mr. Wagner is the General Secretary for the Grain Services Union. Mr. Wagner resides in Regina.

Judy Bell

Judy Bell was appointed to the Board in July of 1996 as a member representing employers. Ms. Bell was formerly the Director of Labour Relations for the Regina District Health Board and is presently a labour relations consultant and a lay Bencher of the Law Society of Saskatchewan. Ms. Bell resides in Regina. Ms. Bell retired as a member of the Board on July 28, 2002.

Mike Carr

Mike Carr was appointed to the Board in July of 1998 as a member representing employers. Mr. Carr is Vice-President, Director of Personnel for IPSCO Saskatchewan Inc. Mr. Carr resides in Regina.

Leo Lancaster

Leo Lancaster was appointed to the Board in July of 1998 as a member representing employers. Mr. Lancaster is a retired labour relations consultant with Saskatchewan Association of Health Organizations. Mr. Lancaster resides in Regina.

Patricia Gallagher

Patricia Gallagher was appointed to the Board in January of 2000 as a member representing employees. Ms. Gallagher was the Executive Director of Operations with the Saskatchewan Government and General Employees Union until her retirement in 2002. She had been employed at SGEU since 1982 in several capacities. She was also formerly employed by the Saskatchewan Federation of Labour as Executive Assistant from 1976 to 1982. Ms. Gallagher resides in Regina.

Duane Siemens

Duane Siemens was appointed to the Board in 2001 as a member representing employees. Mr. Siemens is currently employed as a millwright with Sterling Pulp Chemicals in Saskatoon. Mr. Siemens was formerly the President of CEP Local 609, Secretary and Vice-President of the Saskatchewan Federation of Labour, and Past President of the Saskatoon & District Labour Council. Mr. Siemens resides in Saskatoon.

Clare Gitzel

Clare Gitzel was appointed to the Board in July of 2001 as a member representing employers. Mr. Gitzel was formerly employed with a major mining company as Manager of Human Resources and Northern Affairs. He presently provides consulting services in the human resources and administration fields. Mr. Gitzel resides in Saskatoon.

Joan White

Joan White was appointed to the Board in July of 2001 as a member representing employers. Ms. White is the Director of Labour Relations for the University of Saskatchewan. Ms. White resides in Saskatoon.

Maurice Werezak

Maurice Werezak was appointed to the Board in July of 2001 as a member representing employees. Mr. Werezak is a past Vice-President of the Saskatchewan Federation of Labour and Past President of United Food and Commercial Workers, Local 248-P. Mr. Werezak is a labour representative on the Emploment Insurance Appeal Committee and is employed at Mitchell's Gourmet Foods. Mr. Werezak resides in Saskatoon.

Marshall Hamilton

Marshall Hamilton was appointed to the Board in July of 2002 as a member representing employers. Mr. Hamilton is the Manager of Human Resources for IMC Potash in Esterhazy. Mr. Hamilton has been working in the human resources field for 23 years in various industries including steel, forestry, government and potash. Mr. Hamilton resides in Esterhazy.

Ray Malinowski

Ray Malinowski was appointed to the Board in July of 2002 as a member representing employers. Mr. Malinowski is in the manufacturing industry associated with Leon's Mfg. Company Inc. and Ram Industries Inc. in Yorkton. He is a past president of both the Prairie Implement Manufacturers Association and the Saskatchewan Chamber of Commerce. Mr. Malinowski resides in Yorkton.

Michael Wainwright

Michael Wainwright was appointed to the Board in July of 2002 as a member representing employers. Mr. Wainwight is the Director of Employee Relations at ISM Information Systems Management Canada Corporation. Mr. Wainwright resides in Regina.

John McCormick

John McCormick was appointed to the Board in July of 2002 as a member representing employees. Mr. McCormick is a Transit Operator with the City of Regina and President of the Amalgamated Transit Union Local 588, as well as Canadian Council Executive Board Member. Mr. McCormick is also a member of the Task Force on Occupational Standards for the Canadian Motor Coach Association. Mr. McCormick resides in Regina.

II. *The Trade Union Act*

In Canada, legislative jurisdiction over industrial relations has, since a ruling of the Supreme Court of Canada in 1925, fallen largely under provincial jurisdiction. Fortunately, the potential this presented for legal fragmentation was offset by varying combinations of interprovincial management and union structures, common history and common day-to-day economic and political conditions. The result is a remarkable commonality of core principles and procedures in all 11 Canadian jurisdictions.

The main features of Saskatchewan's *Trade Union Act*, like its counterparts in all other Canadian jurisdictions, may be summarized as follows:

- traditional courts are replaced by a specialized, quasi-judicial tribunal with exclusive and binding jurisdiction over the matters assigned to it by *The Trade Union Act*;
- common law of conspiracy and restraint of trade is abolished insofar as it applies to employees who bargain collectively;
- the majority of employees determine for all employees in a group whether they will bargain collectively and, if so, through which union;
- an employer is required to recognize the union chosen by the majority of its employees as their exclusive representative for the purpose of bargaining collectively;
- the employer and the union are required to bargain in good faith with a view to concluding a collective bargaining agreement;
- a number of unfair labour practices are created to protect employees and unions from any attempt by the employer to interfere with their rights;
- strike and lock-out activity is regulated, but not prohibited;
- specific issues, such as union security, technological change, conciliation, voting procedures and religious exclusions, are addressed; and,
- remedial and enforcement procedures are included in the statute.

In short, the Act provides the legal framework for collective bargaining, along with a procedure for adjudicating disputes and enforcing rights and obligations. *The Trade Union Act*, like its counterparts in all other Canadian jurisdictions, does not attempt to prohibit economic conflict between employees and employers, but only to control it. It does not attempt to regulate the outcome of collective bargaining, but merely the process to be followed.

The function of the Labour Relations Board within this statutory framework is to identify the parties which will participate in collective bargaining and to monitor the procedural aspects of the bargaining process. Under *The Trade Union Act*, the Board is not required to follow all of the formal rules of procedure that have been developed in courts of law.

The Board attempts to conduct its hearings in a way that will make them accessible to representatives of the parties who have no legal training, and that will allow the Board to identify the issues that are genuinely in dispute.

III. *The Construction Industry Labour Relations Act, 1992*

Passed in 1992 and amended in 2000, *The Construction Industry Labour Relations Act, 1992*, S.S. 1992, c. C-29.11, provides for a system of collective bargaining in the building trades between organizations representing groups of contractors and the construction unions. The supervision of this statutory system is conferred on the Board under the legislation.

IV. *The Health Labour Relations Reorganization Act*

Passed in 1996, *The Health Labour Relations Reorganization Act*, S.S. 1996, c. H-0.03, appointed a commissioner to examine the organization of labour relations between health sector employers and employees in the province. The Dorsey Commission report was submitted, and *The Health Labour Relations Reorganization (Commissioner) Regulations*, R.R.S., c. H-0.03, Reg. 1 came into force in January, 1997.

The Act confers upon the Board the power to make orders for the purpose of carrying out the intent of the legislation and respecting any matter arising out of the reorganization of labour relations in the health care sector not addressed in the Regulations.

V. Budget Summary

The total budget of the Saskatchewan Labour Relations Board for the fiscal year ending March 31, 2003 was $832,000. The actual sum expended by the Board during the fiscal year was $830,587. The Board has, over time, displayed an ability to manage its resources efficiently. It should be noted, however, that it is unable to control or predict the nature or number of applications put before it and, as a result, the relationship of expenditure to budgetary allocation cannot be guaranteed.

VI. Summary of Board Activity for 2002-2003

Between April 1, 2002, and March 31, 2003, the Labour Relations Board held 12 monthly meetings lasting a total of 144 days. A total of 260 applications were received and a total of 265 were disposed of by the Board during the year. Tables 2 and 3 show these applications by type of application and disposition. The five-year trend is shown by disposition in Tables 3 and 4 and by type in Tables 5 and 6.

During 2002-2003, 70 certification orders covering 1167 employees were issued by the Board and nine certification orders affecting 423 employees were rescinded.

It is not possible in this report to convey a complete picture of the nature and range of applications brought before the Board during the year. It may be helpful, however, to mention briefly some of the issues that illustrate the many types of questions that arise from applications before the Board.

During the reporting period, the Board considered several applications relating to disputes between employees and certified bargaining agents alleging violation of the duty of fair representation provided in s. 25.1 of *The Trade Union Act* or denial of the principles of natural justice provided in s. 36.1. In *Roger Johnston v. Service Employees' International Union, Local 333*, [2003] Sask. L.R.B.R. 7, the Board reviewed the requirements of the duty with respect to its application to collective bargaining. The Board deferred to the jurisdiction of the Human Rights Commission with respect to the accommodation issues of such a complaint in *Barbara Metz v. Saskatchewan Government and General Employees' Union*, [2003] Sask. L.R.B.R. 28. In *Dr. Lucinda Vandervoort v. University of Saskatchewan Faculty Association*, et al. (2003), LRB File Nos. 102-95 & 047-99 (not yet reported), the Board confirmed that a union may refuse to pursue a grievance if the position required to be advanced is at variance with its preferred interpretation of the collective agreement, and outlined the extent of a union's authority to negotiate settlement of a grievance against the wishes of the grievor. The latter point was also the subject of the decision in *Randy Gibson v. Communications, Energy and Paperworkers Union of Canada, Local 650*, [2002] Sask. L.R.B.R. 574.

In *Saskatchewan Joint Board, Retail, Wholesale and Department Store Union v. Saskatchewan Gaming Corporation – Casino Moose Jaw and Public Service Alliance of Canada*, [2002] Sask. L.R.B.R. 601, the Board ordered a vote where one union filed an application for certification with evidence of majority support of employees and a second union filed a similar application three days later with evidence of support of more than 25%, but less than 50% of the employees. The Board confirmed the decision on reconsideration at [2002] Sask. L.R.B.R. 641.

In *Grain Services Union (ILWU – Canada) v. Saskatchewan Wheat Pool, et al.*, [2003] Sask. L.R.B.R. 52, the Board reviewed the limited circumstances in which parties are required to engage in collective bargaining during the term of a collective agreement.

The Board reviewed and confirmed the principles applicable to the composition of bargaining units in a multiple bargaining unit setting including a "middle-management" bargaining unit in *Saskatoon Professional Fire Fighters Union v. Saskatoon Civic Middle Management Association, et al.*, [2002] Sask. L.R.B.R. 213, and *City of Saskatoon v. Canadian Union of Public Employees, Local 47, et al.*, [2002] Sask. L.R.B.R. 471 and [2002] Sask. L.R.B.R. 542.

In *Earl Hill v. Saskatchewan Government and General Employees' Union*, [2003] Sask. L.R.B.R. 23, the Board reviewed the criteria applicable to applications for an interim order pursuant to s. 5.3 of *The Trade Union Act*. A review of these principles was also made in a case in the health services sector in relation to an application to prohibit strike action in *Saskatchewan Association of Health Organizations v. Health Sciences Association of Saskatchewan*, [2002] Sask. L.R.B.R. 378.

The Board reviewed the principles applicable to disclosure of information at the negotiating table during collective bargaining in *Saskatchewan Joint Board, Retail, Wholesale and Department Store Union v. Temple Gardens Mineral Spa Inc.*, [2002] Sask. L.R.B.R. 235

In *Canadian Union of Public Employees, Local 1975, v. Country Classic Fashions Ltd.*, [2003] Sask. L.R.B.R. 103, the Board confirmed that, pursuant to s. 37 of *The Trade Union Act*, at the time of the sale of a business, proceedings before the Board, as well as orders already in place, attach to the business, and the successor employer is bound by a collective agreement subsequently imposed as a result of an application for assistance in achieving a first contract pending before the Board at the time of the sale.

During the reporting period, the Board made several procedural rulings. In *International Brotherhood of Electrical Workers, Local 529 v. Pyramid Electric Corporation*, [2003] Sask. L.R.B.R. 115, the Board confirmed that applications and replies filed with the Board in the form of a statutory declaration are evidence before the Board and the deponents of such documents are subject to cross-examination.

In *PCL Industrial Constructors Ltd. v. United Brotherhood of Carpenters and Joiners of America, Local 1985, et al.*, [2002] Sask. L.R.B.R. c-3, the Saskatchewan Court of Queen's Bench confirmed that there was no denial of natural justice in the Board determining without an oral hearing an application to review a decision by the Executive Officer of the Board as to the requirement to provide particulars. In *Saskatchewan Indian Gaming Authority Inc. v. National Automobile, Aerospace, Transportation and General Workers Union of Canada (CAW – Canada)*, [2002] Sask. L.R.B.R. c-25, the Court also confirmed, *inter alia*, the discretion of the Board to appoint a Board agent in a first contract application to assist the parties and to report to the Board with recommendations respecting issues where the parties are not able to agree, and to disallow the cross-examination of the Board agent at the hearing of the application.

In *Industrial Wood and Allied Workers Canada, Local 1-184 v. Cabtech Manufacturing Inc.*, [2002] Sask. L.R.B.R. 271, the Board described circumstances in which it may declare that an unfair labour practice was committed even though it has been remedied by the party in breach by the time of the hearing of the application.

In *International Union of Operating Engineers Hoisting and Portable and Stationary, Local 870 v. Rural Municipality of Meota No. 468*, [2002] Sask. L.R.B.R. 285, the Board held that the withdrawal of an application for certification by a union and the subsequent filing of a new application shortly thereafter is not an abuse of the Board's process, and that an applicant may withdraw an application at any time prior to final determination by the Board.

In the construction sector, the Board clarified the composition of bargaining units with respect to compulsory apprenticeship trades in *International Brotherhood of Electrical Workers, Local 2038 v. Prairie Control Services Ltd.*, [2002] Sask. L.R.B.R. 413, and *International Brotherhood of Electrical Workers, Local 2038 v. Tesco Electric Ltd.*, [2002] Sask. L.R.B.R. 512. In the latter case, the Board also confirmed the appropriateness of organization by craft for employees engaged in maintenance activities in the construction industry under *The Construction Industry Labour Relations Act, 1992*.

The principles governing the reconsideration by the Board of a decision of the Board were reviewed in *United Brotherhood of Carpenters and Joiners of America, Local 1985, et al. v. Graham Construction and Engineering Ltd., et al.*, [2002] Sask. L.R.B.R. 295.

In conjunction with its publisher, the Saskatchewan Legal Education Society Inc. (SKLESI), the Board continued the publication of its Reasons for Decision and any subsequent court decisions during the reporting year in The Saskatchewan Labour Relations Board Reports (cited as Sask. L.R.B.R.). The Board wishes to thank SKLESI, its Executive Director and staff for their considerable effort and continued cooperation in the publication of the Reports. Reports of recent Board decisions are available on the Board's website at www.sasklabourrelationsboard.com. The Board's entire reasons for decision are also available on Quicklaw.

VII. Tables

Table 1

Labour Relations Board
Organizational Chart
March 31, 2003

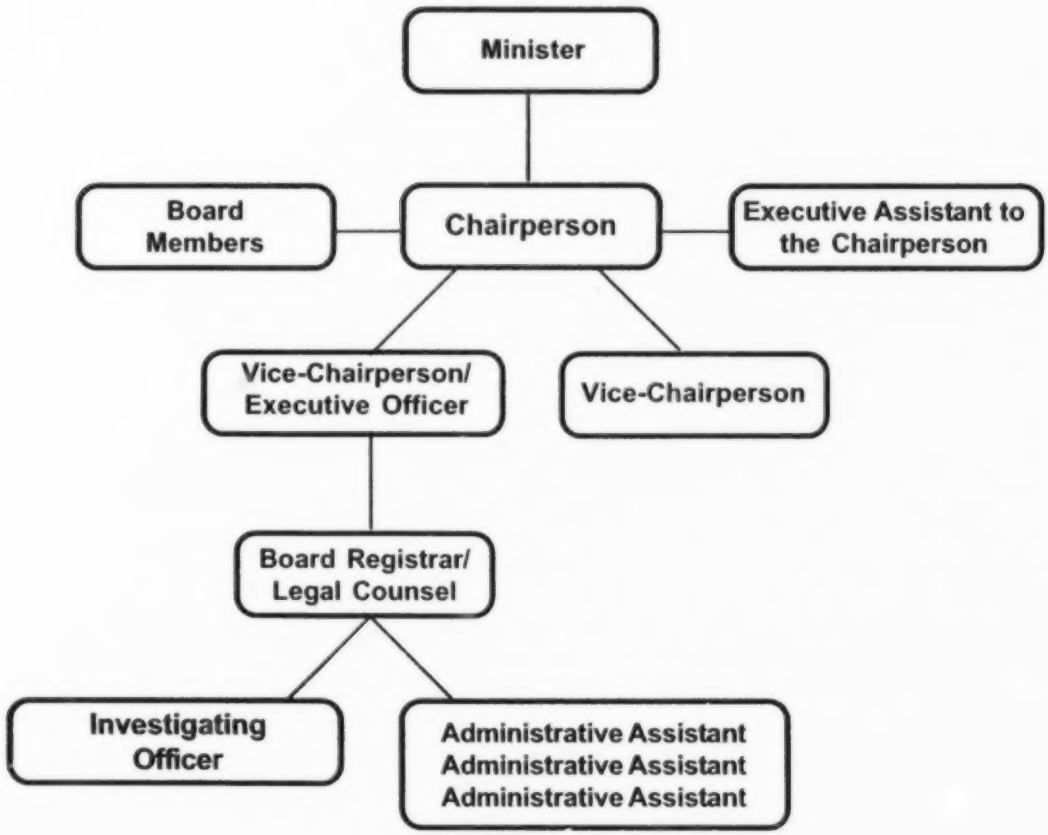

Table 2

Applications under *The Trade Union Act*
by Type of Application and Disposition, 2002-2003

Type of application and disposition	Applications
Total Applications*	265
Granted	124
Dismissed	32
Withdrawn	82
Sine Die	27
Designation of Principal or Contractor	
(Section 2, clause g)	0
Certification	
(Section 5, clauses a, b and c)	70
Granted	52
Dismissed	9
Withdrawn	9
Unfair Labour Practice	
(Section 5, clause d)	65
Granted	8
Dismissed	6
Withdrawn	37
Sine Die	14
Reinstatement	
(Section 5, clause f)	14
Granted	2
Dismissed	1
Withdrawn	9
Sine Die	2
Monetary Loss	
(Section 5, clause g)	16
Granted	2
Dismissed	1
Withdrawn	9
Sine Die	4
Company Dominated	
(Section 5, clause h)	1
Dismissed	1
Provisional Employee Determination	
(Section 5.2)	3
Granted	2
Withdrawn	1
Interim Applications	
(Section 5.3)	8
Granted	3
Dismissed	2
Withdrawn	3
Raid	2
Granted	2
Amendment or Rescission	
(Section 5, clauses i, j and k)	A20, R14
Granted	A14, R9
Dismissed	A1, R4
Withdrawn	A4, R1
Sine Die	A1
Exclusion on Religious Grounds	
(Section 5, clause l)	1
Granted	1
Employee Determination	
(Section 5, clause m)	3
Granted	2
Withdrawn	1
Strike/Ratification Votes	
(Section 11, clause 8)	1
Withdrawn	1
Reconsideration	
(Section 13)	2
Dismissed	2
Reference of Dispute	
(Section 24)	2
Granted	2

Table 2 - Continued

Applications under *The Trade Union Act*
by Type of Application and Disposition, 2002-2003

Type of application and disposition	Applications
Duty of Fair Representation	
(Section 25.1)	11
Dismissed	5
Withdrawn	3
Sine die	3
First Collective Bargaining Agreements	
(Section 26.5)	6
Granted	3
Withdrawn	2
Sine Die	1
Membership in Trade Union	
(Section 36.1)	0
Transfer of Obligation	
(Section 37)	8
Granted	8
Deemed Sale of Business	
(Section 37.1)	0
Related Employer	
(Section 37.3)	1
Sine Die	1
Transfer of Bargaining Rights	
(Section 39)	1
Technological Change	
(Section 43)	3
Withdrawn	2
Sine Die	1
Final Offer Vote	
(Section 45)	1
Health Applications	12
Certification/HLLRA	12
Construction Applications	0

*265 applications were disposed of although 260 applications were received.
Source: Saskatchewan Labour Relations Board files.

Table 3

Applications to the Labour Relations Board under *The Trade Union Act*, by Disposition, 1998-99 to 2002-2003

	1998-99	1999-2000	2000-2001	2001-2002	2002-2003
Total Applications	284*	325	340	336**	265**
Granted	153	144	163	107	109
Dismissed	21	22	19	58	30
Withdrawn	82	118	113	122	79
Sine Die	18	22	32	35	27
To Conciliation	1	0	0	0	0
Joint Amend—Dorsey	0	0	4	1	0
Cert.-Dorsey	0	1	0	0	12
Other Dorsey	0	3	0	1	0
Interim* **	9	15	9	12	8

Under *The Trade Union Act*, the Board may determine the outcome of any dispute referred to it by either party.
The decision of the Board is final and binding.

*1998-99 Figures Amended.
**This figure does not include construction applications.
***The Disposition of Interim Applications is shown in Table 2.

Source: Saskatchewan Labour Relations Board files.

Table 4

Applications to the Labour Relations Board under *The Construction Industry Labour Relations Act, 1992*, by Disposition, 1998-99 to 2002-2003

Year	Total Applications	Granted	Dismissed	Withdrawn	Determined	Sine Die
1998-99	1	0	0	1	0	0
1999-00	0	0	0	0	0	0
2000-01	5	4	0	0	0	1
2001-02	3	1	0	1	0	1
2002-03	0	0	0	0	0	0

Source: Saskatchewan Labour Relations Board files.

Table 5

Applications under *The Trade Union Act* by Type of Application, 1998-99 to 2002-2003

Type of Application	1998-99	1999-2000	2000-2001	2001-2002	2002-2003
Total Applications*	**284****	**325**	**335*****	**336*****	**265*****
Designation of Principal or Contractor (Section 2, clause g)	0	0	0	18	0
Certification (Section 5, clauses a, b and c)	88	113	68	64	70
Unfair Labour Practices (Section 5, clause d)	46	78	105	82	65
Reinstatement (Section 5, clause f)	15	28	24	18	14
Monetary loss (Section 5, clause g)	15	33	26	19	16
Company dominated (Section 5, clause h)	0	0	0	1	1
Amendment or Rescission (Section 5, clauses i, j and k)	51	A12/R14	A17/R17	A18/R17	A20/R14
Exclusion on religious grounds (Section 5, clause l)	3	3	3	1	1
Employee determination (Section 5, clause m)	1	3	2	7	3
Provisional determination (Section 5.2)	3	0	6	6	3
Interim Application (Section 5.3)	9	15	9	12	8
Strike/Ratification Votes (Section 11(8))	0	0	1	2	1
Reconsideration (Section 13)	2	0	1	1	2

Table 5 - Continued ....

Applications under *The Trade Union Act* by Type of Application, 1998-99 to 2002-2003

Type of Application	1998-99	1999-2000	2000-2001	2001-2002	2002-2003
Reference of Dispute (Section 24)	0	2	2	1	2
Duty of Fair Representation (Section 25.1)	29	8	16	30	11
First Collective Bargaining Agreements (Section 26.5)	5	5	6	8	6
Raid	1	0	6	1	2
Membership in Trade Union (Section 36.1)	–	1	0	9	0
Deemed Sale of Business (Section 37.1)	0	0	0	2	0
Transfer of Obligation (Section 37)	11	3	20	16	8
Related Employer (Section 37.3 / Section 18 CILRA)	1	1	1	1	1
Transfer of Bargaining Rights (Section 39)	1	0	0	0	1
Technological Change (Section 43)	2	2	1	0	3
Final Offer Vote (Section 45)	–	–	–	–	1
Health Applications	1	4	4	2	12

*These figures represent the number of applications disposed of during the reporting period, not the number received.
**1998-99 Figures Amended.
***This figure does not include construction applications.
Source: Saskatchewan Labour Relations Board files.

Table 6

Applications under *The Construction Industry Labour Relations Act, 1992* by Type of Application, 1998-99 to 2002-2003

Type of Application	1998-99	1999-2000	2000-2001	2001-2002	2002-2003
Total Applications	1	0	5	3	0
Section 5	0	0	1	0	0
Section 10.2	0	0	4	1	0
Section 11	0	0	0	0	0
Section 16	0	0	0	0	0
Section 18	1	0	0	2	0
Section 25	0	0	0	0	0
Section 29	0	0	0	0	0
Section 30	0	0	0	0	0
Section 37	0	0	0	0	0

Source: Saskatchewan Labour Relations Board files.

Where to Obtain Additional Information

For more information or to obtain additional copies of this report, contact us at:

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1600 - 1920 Broad Street
Regina, Saskatchewan
S4P 3V7

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Visit our website at:
www.sasklabourrelationsboard.com